

SEC. 8. Any purchase, lease or contract authorized by this Act shall be valid only when approved by a vote of nine-tenths (9-10) of the stock of each company to be affected thereby.

[NOTE.—H. B. No. 167 carried no emergency clause.]

[NOTE.—Received in the Executive Office March 6, 1913, and filed in Department of State March 18, 1913, without the approval of the Governor.]

Takes effect 90 days after adjournment.

CITIES AND TOWNS—UPON NAVIGABLE STREAMS AND  
ACTING UNDER SPECIAL CHARTERS, AUTHORIZED  
TO INCLUDE THE NAVIGABLE STREAM AND  
LAND ON BOTH SIDES, ETC.

S. B. No. 298.]

CHAPTER 25.

An Act authorizing cities situated along or upon navigable streams, and acting under special charters, to extend by ordinance their boundaries so as to include in said cities the navigable stream and the land lying on both sides thereof for a distance of twenty-five hundred feet from the thread of the stream to a distance of twenty miles or less in an air line from the ordinary boundaries of said city either above or below the boundaries of said city or both; and granting to said cities within said added territory, the right to purchase or condemn property for navigation or wharfage or for aids or facilities to either; and granting to said city within said territory full power of regulation and control over navigation and wharfage, and over all facilities and aids, to either; and full power to pass and enforce ordinances for the police of navigation and wharfage, and of all aids and facilities to either; and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. That from and after the passage of this Act the right, power and authority is hereby given to the city council of all cities situated along or upon navigable streams in the State of Texas, and acting under special charters, to extend the limits of said city for the limited purposes named in this Act, so as to include in said city the said navigable streams and the land lying on both sides thereof for a distance of twenty-five hundred (2500) feet from the thread of said stream to a distance of twenty (20) miles or less in an air line from the ordinary boundaries of said city, either above or below the boundaries of said city or both, by the passage of an ordinance extending the boundaries of said city to include the territory aforesaid, being a strip five thousand feet wide and twenty miles, more or less, in length, or so much thereof as the city council may consider advisable to add to the limits of said city; and from and after the passage of said ordinance the city council of said city shall have the right, power and authority to secure land within the territory so added to said city by purchase condemnation or gift for the improvement of the navigation of said navigable stream or waters, either by the United States or by said city, or by any navigation or other improvement district, and for the purpose of establishing and maintaining wharves, docks, railway terminals, side tracks warehouses or any other facilities or aids whatsoever to either navigation or wharves; and for these purposes the corporate limits of said cities shall, upon

passage of said ordinance, be extended from the existing limits so as to include all the land added to said city by said ordinance, provided that said city shall have no right to tax the property over which such boundaries are so extended, unless such property be within the line and within the limits of the general city boundaries or limits; and provided further, that after the passage of said ordinance adding said territory to said city, said city shall have and exercise within said limits the fullest and most complete power of regulation of navigation and of wharfage and of wharfage rates and of all facilities, conveniences and aids to wharfage or navigation consistent with the Constitution of this State, and shall further have authority by criminal ordinances or otherwise, to police the navigation of said waters and the use of said wharves and facilities and aids to wharfage and navigation, provided in all condemnation proceedings under this Act the same procedure shall apply that now applies in condemnation of land by cities for the purchases of streets.

SEC. 2 The power here granted shall not authorize the extension of the territory of any city for the limited purposes named so as to include any land which is already part of any other city or town corporation, whether incorporated under the General Laws or under special law, or any land at the time belonging to any other city or town.

SEC. 3. The fact that there is now no law vesting in the larger cities of the State, situated upon navigable streams, the authority and power to efficiently provide navigation, wharfage and facilities therefor, and to regulate same, creates an emergency and an imperative public necessity, that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

[NOTE.—S. B. No. 298 passed the Senate by a two-thirds vote, yeas 23, nays 1; and passed the House of Representatives by a two-thirds vote, yeas 105, nays 1.]

Approved March 17, 1913.

Became a law March 17, 1913.

#### OFFICERS—DEFINING DUTIES OF THE ATTORNEY GENERAL, DISTRICT AND COUNTY ATTORNEYS, ETC.

S. B. No. 45.]

#### CHAPTER 26.

An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice; except to certain public officers named, and declaring an emergency.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. That in addition to the duties now or that may hereafter, be imposed upon the Attorney General by law, he shall, at the request of the Governor or the heads of the departments of the State Government, including the heads and boards of penal and eleemosynary institution, and all other State boards, regents, trustees of the State educa-